

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MOUNTAIN
VILLAGE, COLORADO AMENDING THE TOWN OF MOUNTAIN VILLAGE
COMPREHENSIVE PLAN**

Resolution No. 2018-0215-04

RECITALS:

- A. The Town of Mountain Village, Colorado, acting through its Planning Commission is empowered pursuant to Section 31-23-201, et seq. CRS to make and adopt a master plan; and
- B. The Town Council, acting by ordinance, may initiate amendments to the Comprehensive Plan from time to time in accordance with Section 31-23-206, et seq. CRS, since elements of the community vision and factors affecting land use change over time; and
- C. The Town of Mountain Village Home Rule Charter Section 12.1 (a)(2) provides that the Town's Design Review Board (DRB) functions as the Town's Planning Commission unless otherwise provided by ordinance; and
- D. The Town Council has adopted Section 17.1.5 (F) 7 of the Town's Community Development Code, which designates the Town Council to act as the Town's Planning Commission; and
- E. On August 17, 2017 the Town Council held a worksession by request and participation of the owner and owner's agent of Lot 30 to discuss the existing development rights and densities as it relates to the Comprehensive Plan Table 7. Parcel M, Lot 30. Densities, heights and flagship hotel designation were discussed. Town Council agreed to move forward with a Comprehensive Plan amendment understanding that there were otherwise no site-specific policies currently outlined in the Comprehensive Plan for Parcel M, Lot 30.
- F. On October 12, 2017 the Town of Mountain Village hosted a public open house regarding Parcel M, Lot 30. We received over 29 written public comments regarding a Comprehensive Plan amendment to Parcel M, Lot 30.
- G. On February 1, 2018 The Design Review Board provided a courtesy recommendation to the Town Council regarding a Comprehensive Plan amendment after finding that the community vision and factors affecting land use have substantially changed since the adoption of the Comprehensive Plan and there is adequate financing and resources available to complete the element; and
- H. On February 15, 2018 the Town Council considered and approved the Comprehensive Plan amendment as written; and

- I. The Comprehensive Plan amendment lists site specific policies for Parcel M, Lot 30 found within the Village Center Subarea; and
- J. The Town Council public hearing on February 15, 2018 was adequately noticed including the time and place by publication in the Telluride Daily Planet, a newspaper of general circulation; and
- K. The Comprehensive Plan amendment and its adoption complies with the requirements of Section 31-23-201 et seq. CRS; and
- L. The Town Council believes it is in the best interest of the Town that the site-specific policies for Parcel M Lot 30 be adopted as an amendment to the Comprehensive Plan.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MOUNTAIN VILLAGE, COLORADO:

1. The Comprehensive Plan amendment attached as exhibit A, hereby is adopted by the Town Council, acting as the Planning Commission and also in its own right as the governing body of the Town pursuant to CRS 31-23-208.

2. The Comprehensive Plan amendment to the Mountain Village Comprehensive Plan as adopted hereby, does not otherwise modify any other map or plan. Town staff is hereby authorized to modify Number 13, Parcel M, Lot 30 to Parcel M (a part of OS1AR-3 and Lot 30) by adding site specific policies found on page 59 of the Comprehensive Plan and complete the final layout of the plan prior to the Mayor signing the official document. However, no substantive changes to the wording of the plan shall be made by Town staff.

3. That the action of the Town Council adopting the Comprehensive Plan amendment to the Mountain Village Comprehensive Plan shall be recorded on the Plan by the identifying signature of the Deputy Town Clerk.

4. A copy of the Resolution shall be attached to each copy of the Mountain Village Comprehensive Plan and shall serve as an attestation that each such copy is a true and correct copy of the Plan as adopted.

5. That an attested copy of the amendment Mountain Village Comprehensive Plan shall be and hereby is certified to the San Miguel County Board of Commissioners pursuant to Section 31-23-208, CRS.

6. Town staff shall be permitted to correct immaterial errors, typos and inconsistencies in the Town Hall Subarea Plan.

Approved by the Town Council at a public meeting February 15, 2018

Town of Mountain Village, Town Council

By 
Laila Benitez, Mayor

Attest:



Susan Johnston, Deputy Town Clerk

Approved as to Form:



Jim Mahoney, Assistant Town Attorney

Amendment to comp plan:

Amend paragraph 13 on page 59 of the Comprehensive Plan shall be amended as follows:

“13. Parcel M (a part of OS1AR-3 and Lot 30)

- a. The flagship hotel, flag hotel operator and flag hotel site designations may apply at the discretion of Town Council after receiving a recommendation from the Design Review Board, should Parcel M be developed as a single parcel (Lot 30 and .419 acres of OS1AR-3); however, if Lot 30 is developed independently then the flagship hotel, flag hotel operator and flat hotel site designations shall not apply. Town Council may consider other measures such as timeshares, fractional sales, condominium-hotel, front desk and amenity spaces for administering rental programs and boutique hotels among other measures and requirements in any development scenario including an independent Lot 30 development (meaning exclusive of any inclusion of the OS1AR-3 portion of Parcel M) scenario or a Parcel M development scenario.
- b. The range of development on Parcel M shall be from 9 condominium units (which is currently allowed by right on the Lot 30 portion of Parcel M) to the full 102 total unit mixes for the entire Parcel M as shown on Table 7 Mountain Village Center Development Table (“Table 7”). Table 7, and its policies set forth in the Comprehensive Plan, shall only be applicable in the event of proposed development of the entire Parcel M. The owner of Lot 30 may elect to bring forth to the Town an application, meeting all submittal requirements of the Town’s Community Development Code to develop Lot 30 either independently from the OS1AR-3 portion of Parcel M or jointly with the OS1AR-3 portion of Parcel M. The Town Council shall have the sole discretion, after receiving a recommendation from the Design Review Board, pursuant to its Community Development Code, to determine if any proposed development scenario other than a by right development scenario of Lot 30, is in the best interest of the community and whether such a scenario is appropriate for development independently on Lot 30 without invoking the requirements of Table 7. The Town Council shall also consider the Community Development Code requirements as well as the Comprehensive Plan principles and policies in making such a determination.
- c. If an entire Parcel M development scenario is proposed, then an increase in hotbeds and mixed use development is required and shall then require a rezoning to the Village Center zone district in order to realize the Comprehensive Plan principles and policies.
- d. In the event that an independent Lot 30 development occurs in any manner (either by right or through a rezone and density transfer), OS1AR-3 may be developed either consistent with the existing underlying zoning or pursuant to rezone and density transfer as approved by the Town Council, so long as it meets such rezone and density transfer requirements and the Comprehensive Plan principles and policies. However, general conformance with the unit mix for Parcel M as shown on Table 7 Mountain Village

Center Development Table shall not be applicable as that unit mix is only representative of an entire Parcel M development.